

REMARKS

Claims 1-23 are pending in this application. Claims 1, 13 and 17 have been amended. Reconsideration and withdrawal of the rejections set forth in the last Office Action, as they may apply to the claims as set forth, is respectfully requested in view of the remarks set forth herein.

The claims have been amended for clarity and do not require the Examiner to conduct another search. This amendment is filed under and is in compliance with 37 C.F.R. § 1.116. Applicants respectfully request entry of this amendment in the above-indicated matter and further request the Examiner to reconsider and withdraw all outstanding grounds of rejection. Applicants respectfully request allowance of the application.

Applicants submit that the finality of the present Office Action is improper as being premature and request that the finality be withdrawn. *See* MPEP 706.07(c). Examiner introduced a new ground of rejection that was neither necessitated by Applicants' amendment of the claims nor based on information submitted in an information disclosure statement. *See* MPEP 706.07(a). In the first Office Action mailed August 26, 2004, at page 3, dependent claims 6, 7, 9, and 16 were objected to based on "informalities." No other rejections were cited against claims 6, 7, 9 and 16. In the response dated November 24, 2004, Applicants appropriately addressed the objection. In addition, Applicants placed claims 6, 9 and 16 in independent form, incorporating all of the elements of the intervening dependent claims. Applicants did not otherwise amend the claims. In the present Office Action, claims 6, 7, 9 and 16 have been finally rejected based on previously cited U.S. Patent No. 5,923,756 to Shambroom. *See* Office Action mailed April 11, 2005, pg. 4. Applicants submit that the present Office Action introduces new ground of rejection that was not necessitated by Applicant's amendments. Moreover, the Office Action does not provide any explanation why claims 6, 7, 9 and 16 have been finally rejected based on these new grounds. Applicants request that the premature finality of the present Office Action be withdrawn.

Claims 1 - 16, and 20 - 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,923,756 to Shambroom ("*Shambroom*") and further in view U.S. Patent No. 6,615,350 to Schell et al. ("*Schell*").

To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) must teach or suggest all of the claim features. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) and MPEP § 2142. *Shambroom* and *Schell*, alone or combined, do not teach or suggest each and every feature of claims 1-5, 8, 10-15, and 20.

For example, *Shambroom* does not teach or suggest “reading...the root as effective user id enables the reading of root-only readable files including the one or more security keys and the one or more security keys can be accessed by a non-root user,” as recited, among other features, in claims 1 and 13 (emphasis added). *Shambroom* does not disclose or suggest these features of the claimed invention. *Schell* does not cure this defect. Consequently, claims 1 and 13 are not rendered obvious by *Shambroom* and *Schell* and are allowable. Therefore, claims 2-5, 8, 10-12, 14, 15, 22 and 23 are allowable for at least these same reasons and the independent features they recite. Allowance of these claims is respectfully requested.

Claims 17 - 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Shambroom*.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference,” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); see also MPEP § 2131. “The identical invention must be shown in as complete detail as is contained in the ... claim.” Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. In re Bond, 15 USPQ2d 1566 (Fed. Cir. 1990). Applicants respectfully traverse this rejection since *Shambroom* does not teach each and every element of claims 17 - 19.

Shambroom do not teach or suggest “calling, with root as an effective user id, the setKeys method of the authentication class, wherein the root as effective user id enables the reading of root-only readable files including security keys and the security keys can be accessed by a non-root user,” as recited, among other features, in claim 17 (emphasis added). Therefore, claim 17 is not anticipated and is allowable. Claims 18 - 21, which depend on claim 17, are allowable for at least this same reason and the independent features they recite. Allowance of claims 17-21 is respectfully requested.

With respect to independent claims 6, 9 and 16, *Shambroom* and *Schell*, alone or combined, do not teach or suggest:

determining if the private key was retrieved from the cache,
wherein a failure to retrieve the private key from the cache indicates
that authorization failed...

if the private key was retrieved from the cache, sending a
message and a message copy, wherein the message copy is digitally
signed with the private key from the managed node,

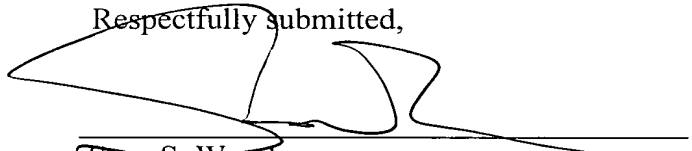
as recited, among other features, in independent claims 6, 9, and 16. The Office Action at pages 4-5 fails to address these features. The cited sections of *Shambroom* and *Schell* do not disclose or suggest that if the private key was retrieved from the cache, sending a message and a message copy, wherein *the message copy is digitally signed with the private key from the managed node*, as claimed. Consequently, claims 6, 9 and 16 are not rendered obvious by *Shambroom* and *Schell* and are allowable. Therefore, claim 7 is allowable for at least these same reasons and for the independent features recited therein. Allowance of claims 6, 9, 16 and 17 is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, Applicants believe that all of the objections and rejections against this application have been fully addressed and that the application is now in condition for allowance. Therefore, withdrawal of the outstanding objections and rejections and a notice of allowance for the application is respectfully requested.

If the Examiner believes that a personal or telephonic interview would be of value in expediting the prosecution of this application, the Examiner is hereby invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,



Date: **June 13, 2005**

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